

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

BENJAMIN MOSTAED, on behalf of himself and all others similarly situated)	
)	
)	
)	
Plaintiff,)	
)	
v.)	Case. No. 3:11-CV-079-REP
)	
JAMES B. CRAWFORD,)	
ROBERT H. FOGLESONG,)	
RICHARD M. GABRYS,)	
ROBERT B. HOLLAND,)	
BOBBY R. INMAN,)	
DAN R. MOORE,)	
BAXTER F. PHILLIPS, JR.,)	
STANLEY C. SUBOLESKI,)	
LINDA J. WELTY, MASSEY ENERGY)	
COMPANY, and ALPHA NATURAL)	
RESOURCES, INC.,)	
)	
Defendants.)	

DECLARATION OF TIMOTHY J. ST. GEORGE, ESQ.

I, Timothy J. St. George, Esq., pursuant to 28 U.S.C. § 1746, declare and swear as follows:

1. I am over the age of 18 and competent to give this Affidavit. I am associated with the law firm of Troutman Sanders, LLP and am counsel to certain of the above Defendants in this action.

2. I submit this Affidavit in support of Defendants' Motion for Protective Order to Stay Discovery.

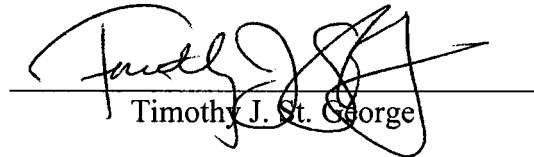
3. Attached as Exhibit A to the motion is a true and correct copy of the draft Agreed Order between the parties in the matter of *Mandel v. Massey*, 3:11cv120.

4. Attached as Exhibit C to the motion is a true and correct copy of the Third Amended Complaint in the matter of *In re Massey Energy Co. Derivative and Class Action Litig.*, C.A. No. 5430-VCS (Del. Ch.).

5. Attached as Exhibit D to the motion is a true and correct copy of correspondence received by Defendants from Frank Johnson, Esq.

6. I am voluntarily making this declaration of my own free will. I declare under penalty of perjury that the foregoing is true.

DATED: May 26, 2011



Timothy J. St. George